

# COMMITTEE AMENDMENT FORM

DATE: 11/01/06

COMMITTEE      ZONING      PAGE NUM. (S) \_

ORDINANCE I. D. #06-O-1949      SECTION (S)

RESOLUTION I. D. #06-R-      PARA.

AMENDS THE LEGISLATION BY ADDING FOUR (4) CONDITIONS

AMENDMENT DONE BY COUNCIL STAFF 11/01/06.

**CONDITIONS FOR Z-06-87**

**For**

**708 Jefferson, 694 Jefferson, 694 Jefferson (rear), 694 Julian, 747 Julian, 752 Echo, 736 Echo, 740 Bedford, 733 Echo, 727 (rear), 733 Echo, 723 Echo, 713 Echo, 695 Wheeler, 626 Wheeler, 0 Echo and 673 Wheeler**

1. The maximum residential permitted shall be 660,000 square feet.
2. The maximum commercial permitted shall be 35,000 square feet.
3. No Certificate of Occupancy shall be issued until all requested abandonment of City right-of-way has been completed.
4. The height of the buildings shall be limited to 65 feet.

City Council  
Atlanta, Georgia

**06-O-1949**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-87**  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **708 Jefferson, 694 Jefferson, 694 Jefferson (rear), 694 Julian, 747 Julian, 752 Echo, 736 Echo, 740 Bedford, 733 Echo, 727 (rear), 733 Echo, 723 Echo, 713 Echo, 695 Wheeler, 626 Wheeler, 0 Echo and 673 Wheeler** be changed from the I-2 (Heavy Industrial) and C-1 (Community Business) Districts to the MRC-3-C (Mixed Residential-Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 112, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

RCS# 503  
9/05/06  
2:54 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1919,1920,06-O-1949,1950,1951,1952  
1953,1954,1955,1956  
REFER

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 3  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	E Martin	Y Norwood
Y Young	Y Shook	B Maddox	E Willis
NV Winslow	Y Muller	E Sheperd	NV Borders

MULTIPLE

06-0-1949

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-87**  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **708 Jefferson, 694 Jefferson, 694 Jefferson (rear), 694 Julian, 747 Julian, 752 Echo, 736 Echo, 740 Bedford, 733 Echo, 727 (rear), 733 Echo, 723 Echo, 713 Echo, 695 Wheeler, 626 Wheeler, 0 Echo and 673 Wheeler** be changed from the I-2 (Heavy Industrial) and C-1 (Community Business) Districts to the MRC-3 (Mixed Residential-Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 112, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## LEGAL DESCRIPTION; PARCEL 1

All that tract or parcel of land lying and being in Land Lot 112 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as "Parcel 1" on a plat of survey entitled "Rezoning Exhibit Plat for Echo Street Residential Sivica Communities, Inc.", prepared by Valentino and Associates, Inc., dated 7/6/06, bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2" iron pin set at the intersection of the easterly right-of-way line of Echo Street (40' r/w) and the northerly right-of-way line of Donald Lee Hollowell Parkway (A.K.A. US Hwy #78/278 & S.R. #8; F.K.A. Bankhead Highway; r/w varies).

THENCE proceeding along said easterly right-of-way line of Echo Street North 00 degrees 18 minutes 46 seconds East for a distance of 292.00 feet to a 1/2" iron pin set at the intersection of said easterly right-of-way line of Echo Street and the southerly right-of-way line of Wheeler Street (50' r/w);

THENCE proceeding along said southerly right-of-way line of Wheeler Street North 89 degrees 49 minutes 07 seconds East for a distance of 221.40 feet to a 1/2" iron pin set;

THENCE departing said southerly right-of-way line of Wheeler Street South 00 degrees 23 minutes 32 seconds East for a distance of 130.00 feet to a 1/2" iron pin set on the northerly right-of-way line of a 10' wide alley;

THENCE proceeding through said 10' wide alley South 16 degrees 58 minutes 13 seconds West for a distance of 10.47 feet to a 1/2" iron pin set on the southerly right-of-way line of said 10' wide alley;

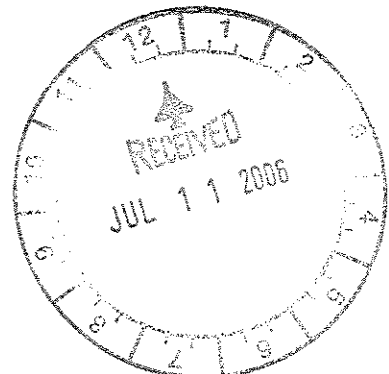
THENCE departing said southerly right-of-way line of said 10' wide alley South 00 degrees 59 minutes 19 seconds West for a distance of 135.14 feet to a 1/2" iron pin found on the northerly right-of-way line of Donald Lee Hollowell Parkway;

THENCE proceeding along said northerly right-of-way line of Donald Lee Hollowell Parkway the following courses and distances:

South 84 degrees 31 minutes 13 seconds West for a distance of 43.79 feet to a 1/2" crimp-top pipe found;

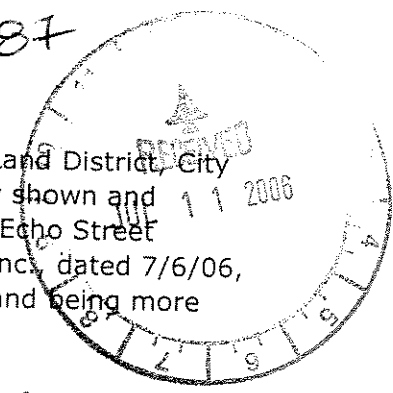
THENCE South 85 degrees 37 minutes 20 seconds West for a distance of 175.43 feet to a 1/2" iron pin set at the intersection of the easterly right-of-way line of Echo Street, said 1/2" iron pin set being the POINT OF BEGINNING.

Said tract or parcel of land contains 1.438 acres or 62,639 square feet.



LEGAL DESCRIPTION; PARCEL 2

Z-06-87



All that tract or parcel of land lying and being in Land Lot 112 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as "Parcel 2" on a plat of survey entitled "Rezoning Exhibit Plat for Echo Street Residential Sivica Communities, Inc.", prepared by Valentino and Associates, Inc., dated 7/6/06, bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

COMMENCING at a 1/2" iron pin set at the intersection of the westerly right-of-way line of Echo Street (40' r/w) and the northerly right-of-way line of Donald Lee Hollowell Parkway (A.K.A. US Hwy #78/278 & S.R. #8; F.K.A. Bankhead Highway; r/w varies).

THENCE proceeding along said westerly right-of-way line of Echo Street North 00 degrees 18 minutes 46 seconds East for a distance of 25.64 feet to a 1/2" iron pin set, said 1/2" iron pin set being the POINT OF BEGINNING;

THENCE departing said westerly right-of-way line of Echo Street and proceeding along the apparent northerly right-of-way line of former CSX Transportation, Inc. property (said northerly right-of-way line being 26.0' off the former centerline of the main track per Plat Book 101, Page 81) the following courses and distances:

North 40 degrees 43 minutes 47 seconds West for a distance of 99.15 feet to a 1/2" iron pin set;

THENCE along a curve to the left, having a radius of 2031.22 feet for an arc distance of 279.75 feet (said arc being subtended by a chord of North 44 degrees 40 minutes 31 seconds West for a distance of 279.53 feet) to a 1/2" iron pin set on the easterly right-of-way line of Griffin Street (40' r/w);

THENCE departing said apparent northerly right-of-way line of the former CSX Transportation, Inc. property, and proceeding along said easterly right-of-way line of Griffin Street the following courses and distances:

North 00 degrees 22 minutes 13 seconds West for a distance of 27.21 feet to a PK nail found;

THENCE North 00 degrees 17 minutes 43 seconds West for a distance of 195.04 feet to a 1/2" iron pin set;

THENCE North 00 degrees 25 minutes 59 seconds East for a distance of 148.14 feet to a 1/2" iron pin set at the intersection of said easterly right-of-way line of Griffin Street and the southerly right-of-way line of Bedford Street (undeveloped; variable r/w);

THENCE proceeding along said southerly right-of-way line of Bedford Street, South 89 degrees 13 minutes 47 seconds East for a distance of 269.26 feet to a 1/2" iron pin set at the intersection of said southerly right-of-way line of Bedford Street and the westerly right-of-way line of Echo Street;

THENCE proceeding along said westerly right-of-way line of Echo Street the following courses and distances:

South 00 degrees 17 minutes 09 seconds East for a distance of 32.76 feet to a 1/2" iron pin set;

THENCE South 01 degrees 09 minutes 21 seconds West for a distance of 325.41 feet to a 1/2" iron pin set;

THENCE South 00 degrees 18 minutes 46 seconds West for a distance of 282.57 feet to a 1/2" iron pin set, said 1/2" iron pin set being the POINT OF BEGINNING.

Said tract or parcel of land contains 3.042 acres or 132,498 square feet.

## LEGAL DESCRIPTION; PARCEL 3

All that tract or parcel of land lying and being in Land Lot 112 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as "Parcel 3" on a plat of survey entitled "Rezoning Exhibit Plat for Echo Street Residential Sivica Communities, Inc.", prepared by Valentino and Associates, Inc., dated 7/6/06, bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2"iron pin found at the intersection of the westerly right-of-way line of Echo Street (40' r/w) and the southerly right-of-way line of Jefferson Street (60' r/w).

THENCE proceeding along said westerly right-of-way line of Echo Street South 00 degrees 17 minutes 09 seconds East for a distance of 318.00 feet to a 1/2"iron pin set at the intersection of said westerly right-of-way line of Echo Street and the northerly right-of-way line of Bedford Street (undeveloped; variable r/w);

THENCE proceeding along said northerly right-of-way line of Bedford Street the following courses and distances:

North 89 degrees 47 minutes 13 seconds West for a distance of 125.00 feet to a 1/2"iron pin set;

THENCE North 89 degrees 45 minutes 03 seconds West for a distance of 11.39 feet to a 1/2"iron pin set;

THENCE South 89 degrees 59 minutes 46 seconds West for a distance of 132.00 feet to a 1/2"iron pin set at the intersection of said northerly right-of-way line of Bedford Street and the easterly right-of-way line of Griffin Street;

THENCE proceeding along said easterly right-of-way line of Griffin Street the following courses and distances:

North 00 degrees 25 minutes 59 seconds East for a distance of 76.85 feet to a 1/2"iron pin set;

THENCE North 00 degrees 11 minutes 07 seconds East for a distance of 72.15 feet to a 3/4"rebar found;

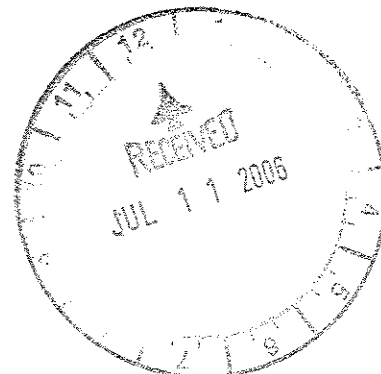
THENCE departing said easterly right-of-way line of Griffin Street North 89 degrees 59 minutes 38 seconds East for a distance of 131.59 feet to a 1/2"rebar found;

THENCE North 01 degrees 01 minutes 54 seconds East for a distance of 169.12 feet to a 1/2"iron pin set on the southerly right-of-way line of Jefferson Street;

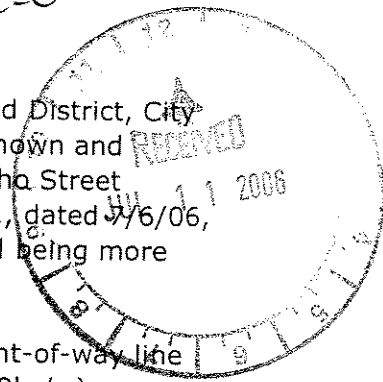
THENCE proceeding along said southerly right-of-way line of Jefferson Street South 89 degrees 43 minutes 56 seconds East for a distance of 131.35 feet to a 1/2"iron pin found at the intersection of the westerly right-of-way line of Echo Street, said 1/2"iron pin found being the POINT OF BEGINNING.

Said tract or parcel of land contains 1.432 acres or 62,396 square feet.

Z-06-87



Z-06-87



## LEGAL DESCRIPTION; PARCEL 4

All that tract or parcel of land lying and being in Land Lot 112 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as "Parcel 4" on a plat of survey entitled "Rezoning Exhibit Plat for Echo Street Residential Sivica Communities, Inc.", prepared by Valentino and Associates, Inc., dated 4/6/06, bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1"crimp-top pipe found at the intersection of the easterly right-of-way line of Echo Street (40' r/w) and the southerly right-of-way line of Jefferson Street (60' r/w).

THENCE proceeding along said southerly right-of-way line of Jefferson Street North 57 degrees 17 minutes 53 seconds East for a distance of 250.55 feet to a 1/2"iron pin set at the intersection of said southerly right-of-way line of Jefferson Street and the westerly right-of-way line of the Norfolk Southern Railroad (variable r/w);

THENCE proceeding along said westerly right-of-way line of Norfolk Southern Railroad the following courses and distances:

South 31 degrees 51 minutes 43 seconds East for a distance of 272.72 feet to a 1/2"iron pin set;

THENCE South 27 degrees 13 minutes 33 seconds East for a distance of 238.13 feet to a 1/2"iron pin set;

THENCE departing said westerly right-of-way line of Norfolk Southern Railroad South 65 degrees 44 minutes 52 seconds West for a distance of 83.00 feet to a 1/2"iron pin set;

THENCE South 26 degrees 04 minutes 58 seconds East for a distance of 90.50 feet to a 1/2"iron pin set;

THENCE South 25 degrees 08 minutes 52 seconds East for a distance of 81.00 feet to a 1/2"iron pin set;

THENCE South 24 degrees 38 minutes 10 seconds East for a distance of 40.00 feet to a 1/2"iron pin set;

THENCE South 84 degrees 57 minutes 29 seconds West for a distance of 81.76 feet to a 1/2"iron pin set on the apparent easterly right-of-way line of Julian Street (undeveloped 40' r/w);

THENCE proceeding along said apparent easterly right-of-way line of Julian Street South 00 degrees 36 minutes 46 seconds West for a distance of 155.96 feet to a 1/2"iron pin set at the intersection of said apparent easterly right-of-way line of Julian Street and the northerly right-of-way line of Wheeler Street (50' r/w);

THENCE proceeding along said northerly right-of-way line of Wheeler Street South 89 degrees 49 minutes 07 seconds West for a distance of 399.38 feet to a 1/2"iron pin set at the intersection of said northerly right-of-way line of Wheeler Street and the easterly right-of-way line of Echo Street;

THENCE proceeding along said easterly right-of-way line of Echo Street the following courses and distances:

North 01 degrees 09 minutes 21 seconds East for a distance of 285.50 feet to a 1/2"iron pin set;

THENCE North 00 degrees 18 minutes 34 seconds West for a distance of 412.04 feet to 1"crimp-top pipe found at the intersection of the easterly right-of-way line of Echo Street (40' r/w) and the southerly right-of-way line of Jefferson Street, said 1"crimp-top pipe found being the POINT OF BEGINNING.

Said tract or parcel of land contains 6.894 acres or 300,315 square feet.